



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 20, 1996

Ms. Vicki D. Blanton
Assistant City Attorney
Criminal Law and Police Division
Office of the City Attorney
City Hall
Dallas, Texas 75201

OR96-0361

Dear Ms. Blanton:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 39132.

The Dallas Police Department received a request for copies of police call sheets concerning a certain Dallas address and the "original published bound copy of [its] annual crime report for years 1992, 1993." You assert that portions of the requested information that consist of records of an open murder investigation are excepted from required public disclosure pursuant to section 552.108 of the Government Code.

Section 552.108 excepts from required public disclosure all information related to cases under active investigation except certain basic information ordinarily appearing on the first page of an offense report. *See Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App. - Houston [14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976), Open Records Decision No. 127 (1976). Accordingly, the city may not withhold from disclosure the basic first-page offense report information in these records, but may withhold from required public disclosure the remaining information pursuant to section 552.108 of the Government Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kay Guajardo", with a long horizontal flourish extending to the right.

Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/ch

Ref.: ID# 39132

Enclosures: Submitted documents

cc: Mr. Joshua Bernstein
Mel Wolovits & Associates
9400 N. Central Expressway, Suite 419
Dallas, Texas 75231
(w/o enclosures)